

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a putrid substance.

DISPOSITION: March 23, 1945. The Shapiro Fisheries, Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for disposition in accordance with the law, under the supervision of the Food and Drug Administration.

8727. Adulteration of Tidbits of Herring. U. S. v. 17 Cases of Tidbits of Herring. Default decree of condemnation and destruction. (F. D. C. No. 15285. Sample No. 717-H.)

LIBEL FILED: February 17, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about September 15, 1944, by the Sea King Food Corporation, from New York, N. Y.

PRODUCT: 17 cases, each containing 24 8-ounce jars, of Tidbits of Herring at Atlanta, Ga. This product was undergoing active fermentation.

LABEL, IN PART: (Jars) "Tidbits of Herring in Wine Sauce * * * Packed By North Atlantic Fishery Products, Inc. New York, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 13, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8728. Adulteration of canned mackerel. U. S. v. 99 Cases and 52 Cases of Canned Mackerel. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 15129, 15131. Sample Nos. 5602-H, 5944-H.)

LIBELS FILED: February 2 and 6, 1945, Southern District of New York and District of New Jersey.

ALLEGED SHIPMENT: On or about December 14, 1944, by the Halfhill Co., from Los Angeles, Calif.

PRODUCT: 99 cases and 52 cases, each containing 48 15-ounce cans, of mackerel at New York, N. Y., and Newark, N. J., respectively.

LABEL, IN PART: "Top Wave Brand California Mackerel * * * Packed for Sardamack Fisheries Wilmington, Calif."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: June 19, 1945. The Sardamack Fisheries Co., claimant, having admitted the allegations of the libels, and the cases having been consolidated for trial in the Southern District of New York, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

8729. Adulteration and misbranding of canned mackerel. U. S. v. 82 Cases of Canned Mackerel (and 2 other seizure actions against canned mackerel). Portion of product condemned and ordered destroyed; remainder ordered released under bond. (F. D. C. Nos. 15211 to 15213, incl. Sample Nos. 89910-F, 22507-H, 27213-H.)

LIBELS FILED: February 6 and 9, 1945, Eastern District of Washington and Western District of Tennessee.

ALLEGED SHIPMENT: On or about October 31 and November 1, 1944, by the California Sea Food Co., Long Beach, Calif.

PRODUCT: 403 cases and 103 cases, each containing 48 cans of mackerel at Spokane, Wash., and Memphis, Tenn., respectively.

LABEL, IN PART: "Val Vita Brand California Mackerel."

NATURE OF CHARGE: Spokane lot, adulteration, Section 402 (b) (2), another variety of fish, commonly called horse mackerel, had been substituted for mackerel, which the article was represented to be. Misbranding, Section 403 (a), the label statement "California Mackerel" was false and misleading.

Memphis lot, adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.